



RE: Freedom of Information Act request re: Administrative Consent Order
EPA-5-13-113(a)-OH-7

Thomas Cmar

to:

Group R5Foia

03/06/2014 12:47 PM

Hide Details

From: Thomas Cmar <tcmar@earthjustice.org>

To: Group R5Foia/R5/USEPA/US@EPA,

1 Attachment



Hutchings consent order.pdf

[Administrative Consent Order attached.](#)

From: Thomas Cmar

Sent: Thursday, March 06, 2014 12:47 PM

To: 'r5foia@epa.gov'

Subject: Freedom of Information Act request re: Administrative Consent Order EPA-5-13-113(a)-OH-7

Dear FOI Officer:

I write on behalf of the Sierra Club to request, under the Freedom of Information Act, 5 U.S.C. § 552, the following records created, stored, or received on or after September 26, 2013:

-- all records reflecting correspondence, notifications, or reporting concerning the Dayton Power & Light Company's compliance with, and implementation of, Administrative Consent Order EPA-5-13-113(a)-OH-7 regarding the O.H. Hutchings Station in Miamisburg, Ohio.

A copy of the Administrative Consent Order is attached hereto for reference.

Sierra Club believes that the volume of records responsive to this request is likely to be small, and therefore that EPA would be unlikely to charge a fee for search and production of the records described above. However, if U.S. EPA does determine that a fee for search or production of the requested records is necessary, then Sierra Club requests the opportunity to submit information to justify a waiver of any such fees on the ground that Sierra Club's FOIA request here is "is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A)(iii); 40 C.F.R. § 2.107(l)(1).

Please do not hesitate to call or email me with questions. Thank you for your prompt attention to this request.

Sincerely,

Thomas Cmar
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